

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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JAMES A. STEPHENS, III

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Plaintiff,

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v.

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2:07-CV-473-ID

CITY OF MONTGOMERY, *et al.*,

\*

Defendants.

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**ORDER**

The complaint in this case was filed on May 29, 2007 and indicated that the plaintiff was at that time incarcerated in the Montgomery City Jail. However, based on the plaintiff's response to an order of the court, (doc. # 19), it appears that when the plaintiff filed his complaint he was no longer incarcerated in the jail. Accordingly, and for good cause, it is

ORDERED that the court's June 1, 2007 order (Doc. No. 12) be and is hereby VACATED.

The Clerk is DIRECTED to send to Plaintiff a non-prisoner *pro se* application for leave to proceed *in forma pauperis*. It is further

ORDERED that on or before August 6, 2007, Plaintiff shall return the completed form to the Clerk for filing.

Plaintiff is cautioned that his failure to comply with the directive contained in this order will result in a Recommendation that this complaint be dismissed. It is further

ORDERED that the plaintiff's motion to show cause (doc. # 23) be and is hereby DENIED.

Done this 25<sup>th</sup> day of July, 2007.

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/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE